

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES EARL CARTER,

Plaintiff,)
v.) Case No. 4:17CV1250 RLW
NANCY A. BERRYHILL,)
Acting Commissioner of Social Security,)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on attorney Howard D. Olinsky's Verified Motion for Admission Pro Hac Vice pursuant to Rule 12 of the Local Rules of the United States District Court for Eastern District of Missouri. (ECF No. 3) This rule provides in pertinent part:

An attorney who is not regularly admitted to the bar of this Court, but who is a member in good standing of the bar of the highest court of any state or the District of Columbia, may be admitted pro hac vice for the limited purpose of appearing in a specific pending action. Unless allowed by a judge for good cause, an attorney may not be granted admission pro hac vice if the applicant resides in the Eastern District of Missouri, is regularly employed in the Eastern District of Missouri, or is regularly engaged in the practice of law in the Eastern District of Missouri.

E.D. Mo. L.R. 12.01(F) (emphasis added).

Mr. Olinsky's motion for pro hac vice admission states that he is not regularly engaged in the practice of law in this district. The Court is aware, however, that Mr. Olinsky has appeared as counsel in at least four other active cases in this district, in addition to the instant matter. The cases are:

1. 2:16cv88-ACL, Minear v. Colvin
2. 4:16cv759-DDN, Troupe v. Colvin

3. 4:16cv1894-ACL, Heintz v. Colvin
4. 4:17cv405-PLC, Goldstein v. Berryhill

In addition to those active cases, Mr. Olinsky has appeared regularly in this district since 2015, including the following cases that are now closed:

1. 1:15cv230-CDP, Wigfall v. Berryhill
2. 2:15cv43-PLC, York v. Colvin
3. 4:15cv1557-JAR, Anderson v. Colvin
4. 4:16cv1261-CDP, Konya v. Colvin

The Court believes that with this frequency of appearance, Mr. Olinsky is regularly employed in this district and, therefore, is not eligible for pro hac vice admission. Mr. Olinsky will be ordered to, within seven (7) days of the date of this order, either (1) file a verified statement that he will submit an application for admission to practice before this Court pursuant to Local Rule 12.01(C) no later than April 28, 2017, or (2) seek leave to withdraw his entry of appearance in this case.

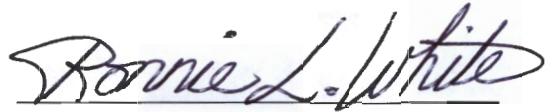
Accordingly,

IT IS HEREBY ORDERED that attorney Howard D. Olinsky shall, by **April 14, 2017**, either (1) file a verified statement that he will submit an application for admission to practice before this Court pursuant to Local Rule 12.01(C) by **April 28, 2017**, or (2) seek leave to withdraw his entry of appearance in this case.

IT IS FURTHER ORDERED that the motion for pro hac vice admission filed by Mr. Olinsky remains pending.

IT IS FURTHER ORDERED that if Mr. Olinsky elects to seek leave to withdraw his entry of appearance in this case, he shall attach a copy of this order to any future motions for admission pro hac vice that he files in this district.

Dated this 7th day of April, 2017.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE